U.S. Application No.: 09/852,580 Attorney Docket No.: <u>EMC01-13(01009)</u>

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#### **REMARKS**

In response to the Office Action mailed August 5, 2005, Applicants respectfully request reconsideration. To further the prosecution of this Application, Applicants submit the following remarks, have canceled claims and have added new claims. The claims as now presented are believed to be in allowable condition.

Claims 1-25 were pending in this Application. By this Amendment, claims 4, 13 and 24 have been canceled. Accordingly, claims 1-3, 5-12, 14-23 and 25 are now pending in this Application. Claims 1, 2, 10, 11 and 19 are independent claims.

## **Preliminary Matters**

The Office Action indicated that the Information Disclosure Statement (IDS) which was mailed on June 6, 2005 did not comply with 37 CFR 1.98(a)(2). Applicants respectfully disagree and request that the Examiner complete the listing and return a copy of the completed listing with the next correspondence from the Patent Office.

37 CFR 1.98(a)(2) states that an IDS shall include a legible copy of (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed, (iii) for each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, and (iv) all other information or that portion which caused it to be listed. Applicants have provide an IDS in full compliance. In particular, each submitted item was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS. Furthermore, the IDS included a legible copy of each foreign patent (the actual foreign patent) and that portion which caused it to be listed (the foreign patent abstract). A copy of this submission is included with this Amendment.

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If the Examiner disagrees and chooses not to complete the listing, Applicants respectfully request that the Patent Office (i) process the IDS as an IDS submission under 37 CFR 1.97(d) and (ii) charge any fees to Deposit Account No. 50-0901. Express authorization to charge this Deposit Account for such fees is hereby provided. Alternatively, the Examiner is urged to call Applicants' Representative, Mr. David E. Huang, at the telephone number listed below.

#### **Allowed Claims**

Claims 2-3 and 11-12 have been allowed.

Claims 4, 5, 9, 13, 14, 18, 23 and 24 were objected to as being dependent on a rejected base claim but were deemed allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

## Claims 1, 4-9 and 21

Rather than rewrite claim 4 in independent form to include all of the limitations of the base claim (i.e., claim 1) and any intervening claims, Applicants have rewritten claim 1 to include all of the limitations of claim 4 and then canceled claim 4. Accordingly, claim 1 is now in allowable condition.

Because claims 5-9 and 21 depend from and further limit claim 1, claims 5-9 and 21 are in allowable condition for at least the same reasons.

### Claims 10, 13-18 and 22

Rather than rewrite claim 13 in independent form to include all of the limitations of the base claim (i.e., claim 10) and any intervening claims, Applicants have rewritten claim 10 to include all of the limitations of claim 13 and then canceled claim 13. Accordingly, claim 10 is now in allowable condition.

Because claims 14-18 and 22 depend from and further limit claim 10, claims 14-18 and 22 are in allowable condition for at least the same reasons.

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# <u>Claims 19-25</u>

Rather than rewrite claim 24 in independent form to include all of the limitations of the base claim (i.e., claim 19) and any intervening claims, Applicants have rewritten claim 19 to include all of the limitations of claim 24 and then canceled claim 24. Accordingly, claim 19 is now in allowable condition.

Because claims 20-23 and 25 depend from and further limit claim 19, claims 20-23 and 25 are in allowable condition for at least the same reasons.

## Conclusion

In view of the foregoing remarks, this Application should be in condition for allowance. A Notice to this affect is respectfully requested. If the Examiner believes, after this Amendment, that the Application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' Representative at the number below.

Applicants hereby petition for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this Amendment, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

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If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 366-9600, in Westborough, Massachusetts.

Respectfully submitted,

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Dated: October 5, 2005